

SUMMARY MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, August 22, 2007 - 3:30 p.m.

CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at www.ci.stpaul.mn.us/council and click on Watch the Live Webcast.

The meeting was called to order at 3:30 p.m. by Council President Lantry.

Present -5 – Bostrom, Harris, Helgen, Lantry, Montgomery Absent -2 – Benanav (excused), Thune (arrived after roll call)

CONSENT AGENDA (Items 1 - 22)

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

Council President Lantry removed items 6 and 7 from the consent agenda, as they are public hearings.

Councilmember Helgen requested items 13 and 15 be removed for discussion. Councilmember Thune moved approval of the Consent Agenda as amended.

Adopted as amended Yeas - 6 Nays - 0

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

- 1. Claims of Donnita M. Jackson, Diane E. Lillehei, Andrew T. Oswalt, and Tina K. Rappe. Referred to Risk Management
- 2. Letter from the Department of Public Works/Technical Services announcing a public hearing before the City Council on September 5, 2007 to consider the petition of Terry Miller for Land Capital Group to vacate a seven foot width of right-of-way along Pleasant Avenue south of Jefferson Avenue for future single-family development.
- 3. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on September 5, 2007 to consider the application of JLT Group to rezone the area generally bounded by Robert Street, Fillmore Avenue, Highway 52, and the Mississippi River to PD (Planned Development). (The Bridges of Saint Paul) (ZF 07-110-903)

- 4. Letters from the Department of Safety and Inspections declaring 729 Curfew Street, 552 Charles Avenue, 543 Edmund Avenue, 815 Fuller Avenue, and 276 Topping Street as nuisance properties. (For notification purposes only; public hearings will be held at a later date if necessary.)
- 5. Administrative Order:

D002674 Transferring budget money to the appropriate division and line items in the Police Department's 2007 General Fund Budget in association with the reorganization of the department.

On file with the City Clerk

- 6. Public hearing to consider the application of David Levy to rezone property from RM 2 (Multiple-Family Residential) to OS (Office-Service) at 2236 7th Street West, southeast corner at Springfield. (ZF 07-095-904) (Public hearing continued from August 15) (moved to public hearings)
- 7. Public hearing to consider the appeal of John J. Rogers to a decision of the Planning Commission approving the site plan and variance to develop on slopes steeper than 12% in the River Corridor at 2108 Douglynn Lane. [ZF 07-113295] (Public hearing continued from August 15) (moved to public hearings)

FOR ACTION

8. Resolution – 07-763 – Approving the appointments, by Mayor Coleman, of Ann Mulholland to serve as Acting Mayor in the absence of Mayor Coleman; Sara Grewing to serve as Acting Mayor in the absences of Mayor Coleman and Acting Mayor Mulholland; and Nancy Homans to serve as Acting Mayor in the absences of Mayor Coleman, Acting Mayor Mulholland, and Acting Mayor Grewing.

Adopted Yeas - 6 Nays - 0

- 9. Resolution 07-764 Approving the new classification of Energy Coordinator in Grade 017 of Professional Employees Association, Bargaining Unit 06 Salary Schedule. Adopted Yeas 6 Nays 0
- 10. Resolution 07-765 Approving dedication of Permanent Highway Easement and Waiver of Compensation for the Ramsey County Vadnais Boulevard Realignment Project in Vadnais Heights.

Adopted Yeas - 6 Nays - 0

11. Resolution – 07-766 – Refunding the \$435.00 Zoning Appeal fee submitted by Summit Hill Association regarding the Application of Noodles and Company.

Adopted Yeas - 6 Nays - 0

12. Resolution – 07-767 – Accepting a \$400,000 Planning Grant from the State of Minnesota for the Asian Pacific Cultural Center for the Hamm's site.

Adopted Yeas - 6 Nays - 0

- 13. Resolution 07-768 Transferring additional CDBG funds to the appropriate amended funding codes for the Neighborhood Housing Rehabilitation Program for CDCs. (Discussed after the consent agenda)
- 14. Resolution 07-769 Memorializing City Council action taken June 20, 2007 denying the appeal of Goodmanson Construction to a decision of the Heritage Preservation Commission denying a retaining wall along the front property line at 579 Laurel Avenue (Historic Hill District).

Adopted Yeas - 6 Nays - 0

- 15. Resolution 07-770 Authorizing the Division of Parks and Recreation to submit proposed projects to the Metropolitan Council for funding for Regional Park facilities. (Discussed after the consent agenda)
- 16. Resolution 07-771 Authorizing the Division of Parks and Recreation to increase the 2007 revenue and spending budgets to reflect the grant proceeds received from the State of Minnesota, Department of Employment and Economic Development.

Adopted Yeas - 6 Nays - 0

17. Resolution – 07-772 – Establishing a 2007 financing and spending plan for the purchase of 800 MHz radios and accessories for the Police Department Narcotics unit.

Adopted Yeas - 6 Nays - 0

18. Resolution – 07-773 – Authorizing the Police Department to enter into a lease agreement with the Minnesota State Agricultural Society to store vehicles that are towed during a snow emergency in the City.

Adopted Yeas - 6 Nays - 0

19. Resolution – 07-774 – Authorizing the Police Department to enter into an agreement with the United States Department of Justice, Organized Crime Drug Enforcement Task Force.

Adopted Yeas - 6 Nays - 0

- Resolution 07-775 Authorizing the Department of Public Works to release easements on the Macalester College softball field site in order to install a new softball field.
 Adopted Yeas 6 Nays 0
- 21. Resolution 07-776 Authorizing the proper City officials to enter into an agreement between Public Works Street Maintenance Division and Minnesota State Agriculture Society.

Adopted Yeas - 6 Nays - 0

22. Resolution Approving Assessment – 07-777 – In the matter of boarding up vacant buildings during June, 2007 [J0705B]; summary abatements (graffiti removal] on private properties from July 10 to July 17, 2007 [J0702P]; summary abatements (property cleanup) on private properties from July 13 to July 30, 2007 [J0712A]; providing weekly garbage hauling services from July 18 to July 30, 2007 [J0712G]; and setting date of Legislative Hearings for September 18, 2007 and City Council public hearings for October 3, 2007.

Adopted Yeas - 6 Nays - 0

PUBLIC HEARINGS

6. Public hearing to consider the application of David Levy to rezone property from RM 2 (Multiple-Family Residential) to OS (Office-Service) at 2236 7th Street West, southeast corner at Springfield. (ZF 07-095-904) (Public hearing continued from August 15)

Patricia James, Department of Planning and Economic Development, stated that they had received an email from Mr. Levy, as well as a fax from Mr. Levy's real estate agent, asking that the appeal be withdrawn.

Application was withdrawn.

7. Public hearing to consider the appeal of John J. Rogers to a decision of the Planning Commission approving the site plan and variance to develop on slopes steeper than 12% in the River Corridor at 2108 Douglynn Lane. [ZF 07-113295] (Public hearing continued from August 15)

Council President Lantry moved to continue the public hearing on September 5 as no one appeared to testify.

Laid over to September 5 for continuation of the public hearing Yeas - 6 Nays - 0

13. Resolution – 07-768 – Transferring additional CDBG funds to the appropriate amended funding codes for the Neighborhood Housing Rehabilitation Program for CDCs.

Councilmember Helgen introduced substitute language that amends the guidelines to make it more flexible with Invest St. Paul goals. Council President Lantry questioned whether or not Council would be notified prior to changes to ensure that it fits with policy goals and objectives. Discussion ensued regarding who would be notified and possible amendments to the language. Jerry Hendrickson, Assistant City Attorney, questioned whether or not Council would like to approve any changes or to simply be notified.

Councilmember Helgen moved to introduce the substitute language and to lay over to September 5.

Substitute language introduced and laid over to September 5 Y

Yeas - 6

Navs - 0

15. Resolution – 07-770 – Authorizing the Division of Parks and Recreation to submit proposed projects to the Metropolitan Council for funding for Regional Park facilities.

Councilmember Helgen stated that he supports the intent of the resolution but would like to request that Parks and Recreation get the community planning process going and begin a community discussion as to the differences of a water park or slight upgrades. Trudy Moloney, Director of Council Operations, will send an email to that effect.

Councilmember Helgen moved approval.

Adopted

Yeas - 6

Nays - 0

FOR DISCUSSION

23. Resolution – 07-702 – Ordering the owner to remove the property at 1039 5th Street East within fifteen (15) days from adoption of resolution. (Laid over from August 15) (Legislative Hearing Officer recommends approval)

Legislative Hearing Officer, Marcia Moermond, requested the Council refer the matter back to a Legislative Hearing process which recommended granting 180 days to Citifinancial to rehabilitate the structure. If there were a change in ownership, it would need to be heard by the City Council and the time frame granted was non-transferable. Council President Lantry moved approval.

Adopted as amended

Yeas – 6

Nays - 0

24. Resolution – 07-745 – Approving the application with conditions, per the Legislative Hearing Officer, for a Malt Off-Sale license by Ismael Hernandez, owner, d/b/a Flor de Isote, 935 Maryland Avenue East. (Laid over from August 15)

Councilmember Bostrom moved to deny the license. Jerry Hendrickson, Assistant City Attorney, stated that if the application was denied it becomes an adverse action and would need to be referred to an Administrative Law Judge (ALJ) hearing.

Councilmember Bostrom moved to refer the matter to an ALJ hearing. Since staff had recommended approval, in order to refer the matter to an ALJ Hearing, the applicant is entitled to know the reason why. Bostrom did not have the information with him, and moved to lay it over until September 5.

Laid over to September 5 Yeas - 6 Nays - 0

ORDINANCES

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE SAINT PAUL LEGAL LEDGER.

25. Final Adoption – 07-671 – An ordinance changing Arlington Avenue from Walsh Street to Payne Avenue from a two-way street to a one-way street.

Councilmember Thune moved to lay over to September 5, and requested a report from Public Works detailing increased speeds and traffic volumes. Laid over to September 5 for final adoption Yeas - 6 Nays - 0

- 26. First Reading 07-778 An ordinance amending Chapter 9 of the Saint Paul Administrative Code, Department of Fire and Safety Services. (GS 3042159) Laid over to September 5 for second reading
- 27. First Reading 07-779 An ordinance amending Chapter 9A of the Saint Paul Administrative Code by creating new legislation entitled "Department of Emergency Management," which permits the creation of an Executive Department of Emergency Management.
 Laid over to September 5 for second reading
- 28. First Reading 07-780 An ordinance amending Chapter 13 of the Saint Paul Legislative Code, Emergency Management.
 Laid over to September 5 for second reading

29. First Reading – 07-781 – An ordinance placing the position titled Emergency Management Director in the unclassified service pursuant to Section 12.03(H) of the Saint Paul City Charter.

Laid over to September 5 for second reading

Suspension Items:

Council President Lantry moved suspension of the rules to introduce the following resolution: Yeas - 6 Navs - 0

Resolution – 07-782 – Authorizing the Police Department to receive a grant from the Federal Transit Administration – 5309 program to provide cameras and surveillance equipment along the Central Corridor in Saint Paul.

Councilmember Harris questioned whether or not, by approving the resolution, they were entering into a defacto agreement to commit to providing the \$300,000 match as required to receive the grant. It was clarified by an Officer from the Police Department that the Target Corporation would provide the necessary match of \$300,000 that the State of Minnesota required.

Councilmember Lantry moved approval.

Adopted Yeas - 6 Nays - 0

Councilmember Montgomery moved suspension of the rules to introduce the following resolution: Yeas - 6 Nays -0

Resolution – 07-783 – Authorizing City staff to make available to Saint Paul residents, by September 5, 2007, an on-line property tax calculator which will enable property owners to see in real numbers how an increase in the City's property tax will affect them, and to allow residents time to voice their concerns and opinions prior to the conclusion of the budget process.

Councilmember Montgomery stated that the reason she brought the suspension item in was an attempt to stay transparent. The citizens of St. Paul need to be given access to as much information as possible that will allow them to make informed decisions about how an increase will affect their budgets.

Councilmember Helgen moved to make amendments including changing the title to "Property Tax Estimator," deleting the whereas, inserting "electronically" on the resolved line, as well as deleting "will" following property tax and inserting "may." Discussion ensued with Finance Director Matt Smith answering questions regarding the feasibility of the calculator as well as what it would consist of.

Councilmember Thune graphic tables."	e moved to amend the resolution by adding "online or by means of
2	n moved to table the resolution and adjourn the meeting. Nays – 5 (Bostrom, Harris, Lantry, Montgomery, Thune)
Councilmembers Mon	en made a similar motion to amend as stated above. tgomery, Thune, Bostrom and Harris voted nay. Nays – 4 (Bostrom, Harris, Montgomery, Thune)
	e moved to amend as he had done previously. Yeas – 5 Nays – 1 (Helgen)
Councilmember Thune moved	I to adjourn the meeting. $Yeas - 6$ Nays $- 0$
ATTEST:	ADJOURNED at 4:25 P.M.
Mary Erickson Assistant Council Secretary	Kathy Lantry, Council President
Submitted by:	November 7, 2007
Joan Reidell	Minutes approved by Council